Case 11-36231 Filed 09/06/11 Doc 26

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September 06, 2011
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EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

)

CASE NO.11-36231-B-13J

In re:
WILLIAM EUSTICE MAUGHAN
DIANE MARIE MAUGHAN

Debtor.

IE MADIE MAIICUAN

ORDER CONFIRMING PLAN AND VALUING COLLATERAL

The Chapter 13 plan of the above-named debtor has been transmitted to all creditors, and it has been determined after notice and opportunity for a hearing that the debtor's plan satisfies the requirements of 11 U.S.C. § 1325.

Therefore, IT IS ORDERED that the plan filed on June 30, 2011 is confirmed subject to the following:

IT IS FURTHER ORDERED that:

- 1. The debtor shall immediately notify, in writing, the Clerk of the United States Bankruptcy Court and the trustee of any change in the debtor's address;
 - 2. The debtor shall immediately notify the trustee in

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EASTERN DISTRICT OF CALIFORNIA
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writing of any termination, reduction of, or other change in the employment of the debtor; and

3. The debtor shall appear in court whenever notified to do so by the court.

IT IS FURTHER ORDERED that the attorney's fees for the debtor's attorney in the full amount of \$3,500.00 are approved, \$1,500.00 of which was paid prior to the filing of the petition. The balance of \$2,000.00, provided that the attorney and debtor have executed and filed a Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys, shall be paid by the trustee from plan payments at the rate specified in the Guidelines for Payment of Attorney's Fees in Chapter 13 Cases.

IT IS FURTHER ORDERED that the motion to value the collateral: 4408 Snaffle Bit Ct. Antelope, CA. is granted. The secured claim of GMAC MORTGAGE CORP. is determined to be \$0 and the balance shall be paid as a general unsecured claim under the Chapter 13 plan. Upon the Debtor obtaining a discharge in this case and the secured claim of GMAC MORTGAGE CORP., secured by a junior deed of trust on Debtors' residence located at 4408 Snaffle Bit Ct., Antelope, CA. is paid, the Debtors will demand reconveyance of the trust deed pursuant to the Note, Trust Deed and applicable law. Debtors may file an adversary proceeding under Rule 7001 (2) of the Federal Rules of Bankruptcy Procedure to enforce their rights.

IT IS FURTHER ORDERED that the motion to value the collateral: 4408 Snaffle Bit Ct. , Antelope ,CA. is granted. The

ORDER

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secured claim of BENEFICIAL CALIFORNIA INC. is determined to be \$0 and the balance shall be paid as a general unsecured claim under the Chapter 13 Plan. Upon the Debtor obtaining a discharge in this case and the secured claim of BENEFICIAL CALIFORNIA INC.secured by a junior deed of trust on Debtors' residence located at 4408 Snaffle Bit Ct. Antelope, Elk Grove, CA. is paid, the Debtors will demand reconveyance of the trust deed pursuant to the Note, Trust Deed and applicable law. Debtors may file an adversary proceeding under Rule 7001 (2) of the Federal Rules of Bankruptcy Procedure to enforce their rights.

Approved by the Chapter 13

Approved by the chapter is

Trustee as to form

Dated: September 06, 2011

Thomas C. Holman

United States Bankruptcy Judge

ORDER